B1

12. (New) The method of claim 11, wherein the herpesvirus vector encodes GM-CSF.--

REMARKS

New claims 9-12 are added herein. Support for new claims 9-12 can be found throughout the specification, specifically on page 12, lines 22-26, and on page 13, lines 6-8. No new matter is added. Following entry of this amendment, claims 1-12 are pending.

Examination of the subject application is respectfully requested.

Restriction Requirement

In response to the restriction requirement, Applicants elect Group II, with traverse. Applicants submit that it would not be an undue burden on the Examiner to search Groups I and II together. Applicants note that Group I is directed to a method of exposing target cells to a cell damaging agent and antigen presenting cells, wherein the agent and antigen presenting cells are delivered to the target cells in vitro, and then the target cells are delivered *in vivo*. Group II is directed to the same method of exposing target cells to a cell damaging agent and antigen presenting cells, although the cell-damaging agent and the antigen presenting cells are delivered to the target cells *in vivo*. The Office action states that Groups I and II lack the same special technical feature because "the target cells or the antigen presenting cells can be delivered to the patient." However, Applicants maintain that the delivery of the cell damaging agent and antigen presenting cells to target cells constitutes a similar inventive concept, and thus that the subject matter of Groups I and II could be searched together. Reconsideration and withdrawal of the restriction requirement is respectfully requested.

The Office action notes that claims 1-3 and 6-8 are generic to any cell damaging agent, and requests election of a single species. In response, Applicants elect a herpes virus encoding GM-CSF. Applicants note that upon allowance of a generic claim, the Applicants are entitled to consideration of claims to additional species which are written in dependent form of otherwise include all limitations of an allowed generic claims as provided by 37 C.F.R. § 1.141 (see M.P.E.P. 809.02 (a), entitled "Election Required")

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Telephone Conference

Applicants thank Examiner Mike Wilson for the helpful telephone conference of November 5, 2002. If any minor matters remain to be addressed before substantive examination, Applicants request that the Examiner contact the undersigned at the telephone number listed below.

Respectfully submitted,

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Marked-up Version of Amended Claims
Pursuant to 37 C.F.R. §§ 1.121(b)-(c)

1. (Reiterated) A method of treating target cells to damage them and/or reduce their proliferation wherein said method comprises the steps of (a) exposing the target cells to a cell-damaging agent, and also (b) exposing said target cells to a preparation of antigen-presenting cells, thereby to damage said cells and/or reduce their proliferation.

2. (Reiterated) A method according to claim 1, wherein step (b) is carried out at least about 30 minutes after step (a).

3. (Reiterated) A method according to claim 1, wherein the antigen-presenting cells consist essentially of dendritic cells.

4. (Reiterated) A method according to claim 1, wherein the cell-damaging agent consists essentially of a virus vector for gene delivery.

5. (Reiterated) A method according to claim 4, wherein the vector comprises one or more gene sequences encoding an immunomodulatory protein and/or a tumour antigen, or a functional fragment thereof.

6. (Reiterated) A method according to claim 1, wherein the cell-damaging agent and the antigen-presenting cells are delivered to target cells in vivo

7. (Reiterated) A method according to claim 1, wherein the cell-damaging agent and the antigen-presenting cells are delivered to target cells in vitro and the treated target cells are then implanted into a subject.

8. (Reiterated) A method of treating cell proliferation in a subject which comprises administering to said subject separately or concurrently a cell-damaging agent and a preparation of antigen presenting cells in combination with a pharmaceutical excipient.

Please add the following new claims:

--9. (New) The method according to claim 1, wherein the cell-damaging agent comprises a herpesvirus encoding GM-CSF.

10. (New) The method according to claim 8, wherein the cell-damaging agent comprises a herpesvirus encoding GM-CSF.

11. (New) The method of claim 4, wherein the viral vector is a herpesvirus vector.

12. (New) The method of claim 11, wherein the herpesvirus vector encodes GM-CSF.--